AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/364,315
Attorney Docket No. A8491

REMARKS

I. Introduction

Pending claims 1-49 have been examined and are rejected. Specifically, claims 1-49 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,940,865 to Ohzora et al. (hereinafter "Ohzora") in view of newly applied U.S. Patent No. 4,720,784 to Radhakrishnan et al (hereinafter "Radhakrishnan"). Additionally, claims 1, 11, 21, 31 and 38 are rejected under 35 U.S.C. § 112, second paragraph.

As an initial matter, Applicant amends claims 1-2, 7-8, 11-13, 17-18, 21-22 and 27-28. Applicant respectfully submits that these amendments are not intended to narrow the scope of the original claims, but are rather for precision of language and to explicitly recite within the claim what was believed to have already been implicitly defined therein. Accordingly, these amendments should not foreclose application of reasonable equivalents. Additionally, Applicant cancels claims 6, 10, 16, 20, 26 and 30-49.

II. Claim Rejections – 35 U.S.C. § 112, Second Paragraph

As noted above, claims 1, 11, 21, 31 and 38 stand rejected under § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. It is respectfully submitted that the aforementioned claim amendments overcome the antecedent basis issues identified by the Examiner (*see* Office Action: page 2). Therefore, the Examiner is requested to withdraw the § 112, second paragraph, rejections of claims 1, 11, 21, 31 and 38.

III. Claim Rejections – 35 U.S.C. § 103(a)

As noted above, claims 1-49 stand rejected under § 103(a) as allegedly being unpatentable over Ohzora in view of Radhakrishnan. Since claims 6, 10, 16, 20, 26 and 30-49 are canceled, only rejected claims 1-5, 7-9, 11-15, 17-19, 21-25 and 27-29 are addressed herein.

Claims 1, 11 and 21 are the sole independent claims. Claim 1 recites, *inter alia*, that "the number of simultaneous accesses permitted is modifiable by changing a number of access objects in the access vector . . ." (*see also* claims 11 and 21). The Examiner acknowledges that Ohzora fails to teach or suggest this claimed feature. The Examiner, however, alleges that Radhakrishnan makes up for this deficiency of Ohzora by disclosing an access vector (broadly citing to Radhakrishnan: col. 7, line 19 to col. 8, line 44; col. 10, lines 56-64; and col. 12, line 67 to col. 13, line 5).

To the contrary, in Radhakrishnan, each interface of a host computer includes an "access vector" (Radhakrishnan: col. 4, lines 26-35). Each access vector of Radhakrishnan merely defines with which computers the host computer can communicate and the computers that can communicate with the host computer, in a multicomputer network (Radhakrishnan: col. 4, lines 33-35; and col. 7, lines 20-26). Additionally, the access vector includes the direction of such permitted communications (*Id.*). Thus, the access vectors of Radhakrishnan are little more than look up tables for verifying that a proposed communication path is valid (Radhakrishnan: col. 7, lines 40-43).

In Radhakrishnan, the defined communication paths are always available, such that permitting the communication does not cause the communication path defined in the access

vector to become unavailable for the duration of the communication. Thus, the permitted communications defined in the access vector of Radhakrishnan are not access objects corresponding to simultaneous accesses to a system, as recited in claim 1. Consequently, Radhakrishnan fails to teach or suggest that changing the number of communication paths defined in the access vector will modify the number of simultaneous accesses permitted to the system.

Furthermore, neither Ohzora nor Radhakrishnan (alone or in combination) teaches or suggests that the number of simultaneous accesses permitted is modifiable by changing a number of access object in the access vector without halting operation of the system (*see* claims 1, 11 and 21). For example, Ohzora fails to teach or suggest changing the number of slots in the slot allocating means 2 without halting operation of the system. Radhakrishnan describes that a master computer can modify the permissible communication patterns of the various slave computers (Radhakrishnan: col. 7, lines 27-30; and claim 7). Radhakrishnan fails to teach or suggest, however, that this rearrangement of permissible communication patterns occurs without halting operation the system.

In view of the above, it is respectfully submitted that claims 1, 11 and 21 are patentable over the proposed combination of Ohzora in view of Radhakrishnan. Consequently, claims 2-5, 7-9, 12-15, 17-19, 22-25 and 27-29 are patentable at least by virtue of their dependency.